



## CITY OF OBETZ



4175 Alum Creek Dr. Obetz, OH 43207

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Stacey E. Boumis, AICP  
Community Services Director  
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April 22, 2022

TO: Franklin County Board of Commissioners  
373 South High Street, 26<sup>th</sup> Floor  
Columbus, Ohio 43215

Ladies and Gentlemen:

This letter constitutes notice to the Franklin County Board of Commissioners that the City of Obetz, Ohio (the "City") intends to adopt an ordinance relating to the creation of two (2) tax increment financing (TIF) incentive districts (each an "Incentive District", and collectively, the "Incentive Districts") providing for an exemption from real property taxation for certain improvements to certain parcels of real property located within the City under Ohio Revised Code Sections 5709.40(C). A draft of the proposed ordinance (the "TIF Ordinance") in substantially the same form as it will be presented to the Council of the City (the "Council") is enclosed as Exhibit A. The following information is given pursuant to Ohio Revised Code Sections 5709.40 and 5709.83:

***Identification of Parcels to Be Exempted:*** See Exhibit B.

***Period for Which the Improvement Will Be Exempted from Taxation:*** The TIF Ordinance would exempt 100% of the Improvements (as defined in Ohio Revised Code Section 5709.40(A)) to such property for a period commencing the first day of the tax year in which an Improvement due to a Project structure first appears on the tax list and duplicate of real and public utility property and ending the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of Ohio Revised Code Sections 5709.40, 5709.42, and 5709.43.

***Percentage of Improvements to Be Exempted:*** 100%; provided, however, that pursuant to the TIF Ordinance, the Hamilton Local School District and the Eastland-Fairfield Career Center Joint Vocational School District (collectively, the "School District") shall receive semi-annual payments out of service payments in lieu of taxes in amounts equal to the amount of real property taxes the School District would have received had the TIF Ordinance not been adopted.

The Council intends to adopt the TIF Ordinance on June 13, 2022. Council meetings are held at 6:00 PM in the Council Chambers at 4175 Alum Creek Drive, Obetz, Ohio.

While it is impossible to know with certainty how much increased value the Improvement will represent over the life of the TIF Exemption, the anticipated improvements and the estimated true value of the improvements within the incentive districts are described in Exhibit C attached hereto.

The public infrastructure improvements to be paid for with the revenues generated by the TIF exemption include, but are not limited to, public roads, water lines, sewer lines, electric lines, natural gas lines, and dedicated public spaces, including park and other amenities, to service an area within the City, all as provided in Exhibit B to the TIF Ordinance.

Additionally, the City plans to designate the Buckstone Community Reinvestment Area ("Buckstone CRA") on the same parcels as provided in Exhibit B hereto. The Buckstone CRA provides for real property tax exemptions for fifteen years (15) of one hundred percent (100%) of the value of the commercial and/or industrial structures and related site improvements to be developed within the Buckstone CRA. The TIF exemption will be subordinate to any exemptions granted under the Buckstone CRA program.

This notice is required pursuant to Ohio Revised Code Sections 5709.40(E). Pursuant to Ohio Revised Code Sections 5709.40(E) and 5709.83, the County may waive this and other notices, and the City respectfully requests that the County waive this and any and all other notices required under Ohio Revised Code Sections 5709.40, 5709.83, and any all other related provisions of the Ohio Revised Code.

You are invited to attend the meeting of the City Council to present your views or to submit comments in writing, addressed to the City Council. We believe this project is in the best interests of the City, and that it will benefit the entire community, including the School District.

Sincerely,

By: Stacey Boumis

Name: Stacey E. Boumis, AICP

Title: Community Services Director



**EXHIBIT A**

**TIF Ordinance**



**CITY OF OBETZ  
RECORD OF ORDINANCES**

**ORDINANCE: 21 – 22**

**PASSED: \_\_\_\_\_**

**AN ORDINANCE CREATING TWO TAX INCREMENT FINANCING DISTRICTS WITHIN THE CITY OF OBETZ; DECLARING THE IMPROVEMENTS TO THE PARCELS WITHIN EACH TIF DISTRICT TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE THE PARCELS IN THE TWO TIF DISTRICTS; AND ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AUTHORIZING THE DISTRIBUTION OF THE APPLICABLE PORTION OF THOSE SERVICE PAYMENTS TO THE HAMILTON LOCAL SCHOOL DISTRICT AND EASTLAND-FAIRFIELD CAREER AND TECHNICAL SCHOOL DISTRICT; APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT; AND DECLARING AN EMERGENCY**

**WHEREAS, Ohio Revised Code Sections 5709.40(C), 5709.42 and 5709.43 (collectively, the "TIF Statutes") authorize the legislative authority of a municipal corporation, by ordinance, to create an incentive district, declare the improvement to each parcel of real property located within the incentive district to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the city, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made or to be made that benefit or serve the parcels in the incentive district; and**

**WHEREAS, this Council has determined to create two (2) individual incentive districts (each an "Incentive District" and collectively, the "Incentive Districts"), each Incentive District specifically identified as number one (1) through two (2) on the maps in Exhibit A. The boundaries of each Incentive District will be coextensive with the boundaries of, and shall include, the parcels of real property specifically identified and depicted in Exhibit A attached hereto (each, individually, a "Parcel" and collectively, the "Parcels"); and**

**WHEREAS, by Ordinance No. 20-22 passed on \_\_\_\_\_, 2022, this Council approved an Economic Development Plan with respect to the Incentive Districts (the "Economic Development Plan"); and**

**WHEREAS, the City Engineer has certified to this Council that (i) each Incentive District is less than 300 acres in size and enclosed by a contiguous boundary, and (ii) the public infrastructure serving each Incentive District is inadequate to meet the development needs of each Incentive District as evidenced by the Economic Development Plan; and**

**WHEREAS**, this Council has determined to provide for the construction of public infrastructure improvements described in Exhibit B attached hereto (the "Public Infrastructure Improvements"), which Public Infrastructure Improvements, once made, will directly benefit or serve the Parcels of each Incentive District; and

**WHEREAS**, notice of this proposed ordinance has been delivered to the Board of Education of Hamilton Local School District (the "School District") and Eastland-Fairfield Career and Technical School District (the "JVSD") in accordance with and within the time periods prescribed in Sections 5709.42, as applicable, and 5709.83 of the Ohio Revised Code; and

**WHEREAS**, the Council has determined that a portion of the Service Payments shall be directly paid to the School District and the JVSD in an amount equal to the real property taxes that would have been payable to the School District and the JVSD if the Improvements to the Parcels located in the School District and the JVSD had not been exempt from taxation pursuant to this Ordinance; and

**WHEREAS**, the City, by its Ordinance No. 17-22 passed \_\_\_\_\_, 2022, designated an area located within the municipality the "Buckstone Community Reinvestment Area" (the "Buckstone CRA"); and

**WHEREAS**, the Buckstone CRA provides for real property tax exemptions for fifteen years (15) of one hundred percent (100%) of the value of the commercial and/or industrial structures and related site improvements to be developed within the Buckstone CRA (the "CRA Exemption").

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Obetz, Ohio that:

**Section 1. Creation of Incentive Districts.** Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.73(C), this Council hereby creates the following tax increment financing incentive districts, each of which is depicted on the maps in Exhibit A attached hereto: (i) Incentive District One, consisting of approximately 118.958 acres of real property ("District One"); and (ii) Incentive District Two, consisting of approximately 111.728 acres of real property ("District Two").

**Section 2. Public Infrastructure Improvements.** This Council hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto as "public infrastructure improvements" (as such term is defined in Ohio Revised Code Sections 5709.40(A)(8) and 5709.73(A)(6) made, to be made, or in the process of being made, and that, once made, will directly benefit or serve the Parcels in each Incentive District.

**Section 3. Authorization of Tax Exemption; Life of Incentive District.** Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.73(C), this Council hereby finds and determines that one hundred percent (100%) of the increase in assessed value of each Parcel (as it may be subdivided or combined in connection with the acquisition or development of a Parcel) within an Incentive District subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in Ohio Revised Code Section 5709.73(A)(2)) is declared to be a public purpose. For each Incentive District, the Improvement shall be exempt from real property taxation (the "TIF Exemption") for a period commencing with the first day of the tax year in which an Improvement due to a Project structure first appears on the tax list and duplicate of real and public utility property (such commencement date hereinafter referred to as the "Commencement Date"), and in all cases ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the

requirements of the TIF Statutes. Notwithstanding any other provision of the TIF Agreement (as defined in Section 7 hereof) or this Ordinance, the TIF Exemption granted pursuant to this Section 3 and the payment obligations established pursuant to Section 4 of this Ordinance are subject and subordinate to the CRA Exemption.

**Section 4. Service Payments and Property Tax Rollback Payments.** As provided in Ohio Revised Code Section 5709.42, the owners of the Parcels (each, individually, an "Owner" and collectively, the "Owners") are hereby required to and shall make service payments in lieu of taxes with respect to the Improvements allocable thereto to the Treasurer of Franklin County, Ohio (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against that Parcel if it were not exempt from taxation pursuant to Section 3 of this Ordinance, including any penalties and interest (collectively, the "Service Payments"). The Service Payments, and any other payments with respect to each Parcel that are received by the County Treasurer in connection with the reduction required by Ohio Revised Code Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"), shall be allocated and distributed in accordance with Section 6 of this Ordinance.

**Section 5. Tax Increment Equivalent Fund.** This Council hereby establishes, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.43, Buckstone Incentive District Municipal Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"), into which the County Treasurer will deposit the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels and not required to be distributed to the School District or the JVSD pursuant to Section 6 of this Ordinance. The TIF Fund will be maintained in the custody of the City. The City may use amounts deposited into the TIF Fund only for the purposes authorized in the TIF Statutes and this Ordinance. The TIF Fund will exist so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with Section 5709.43 of the Ohio Revised Code.

**Section 16. Distribution of Funds.** Pursuant to TIF Statutes, the County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments as follows:

- (i) to the School District and the JVSD, an amount equal to the amount the School District and the JVSD would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvements to the Parcels located within each such school district's boundaries if the Improvement had not been exempt from taxation pursuant to this Ordinance; and
- (ii) to the City, all remaining amounts for further deposit into TIF Fund for payment of costs of the Public Infrastructure Improvements, including debt service on any securities issued to finance those costs.

The distribution from the County Auditor to the City required under this Section is requested to be made at the same time and in the same manner as real property tax distributions.

**Section 7. Tax Increment Financing Agreement.** The form of Tax Increment Financing Agreement (the "**TIF Agreement**") presently on file with the Clerk of Council is hereby approved and authorized with changes and completions thereto that are not inconsistent with this Ordinance, not substantially adverse to the City and approved by the Mayor and the Law Director. The Mayor, for and in the name of the City, is hereby authorized to execute and deliver the TIF Agreement in substantially that form along with any changes or completions thereto, provided that the approval of such changes and completions thereto by the Mayor, and the character of those changes and completions as not being substantially adverse to the City, will be evidenced conclusively by the Mayor's execution thereof.

**Section 8. Tax Exemption Priority.** This Council finds and determines that the TIF Exemption and the obligation to make Service Payments are subject and subordinate to any tax exemption applicable to the Improvement pursuant to Sections 3735.65 through 3735.70, 4582.46, 5709.12 or 5709.61 through 5709.69 of the Ohio Revised Code, including the CRA Exemption.

**Section 9. Further Authorizations.** This Council authorizes and directs the Mayor, the Finance Director, the Law Director, the Clerk of Council or other appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments from the owner of each Parcel, including the preparation and filing of any necessary exemption applications. This Council further authorizes and directs those officers or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this ordinance and the TIF Agreement.

Pursuant to Ohio Revised Code Section 5709.40(G), the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of Development of the State of Ohio within fifteen days after its effective date. Further, and on or before March 31 of each year that the Exemption set forth in this Ordinance remains in effect, the Director of Development or other authorized officer of the City shall prepare and submit to the Director of Development of the State of Ohio the status report required under Ohio Revised Code Section 5709.40(G).

**Section 10. Tax Increment Review Council.** This Council hereby designates the tax incentive review council (the "**TIRC**") established in Ordinance No. 19-07, as the TIRC that shall annually review the exemptions provided pursuant to this Ordinance as required by R.C. Section 5709.85.

**Section 11. Non-Discriminatory Hiring Policy.** In accordance with Section 5709.832 of the Ohio Revised Code, this Council hereby determines that no employer located upon any Parcel shall deny any individual employment based solely on the basis of race, religion, sex, disability, color, national origin or ancestry.

**Section 12. Open Meetings.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

**Section 13. Effective Date.** This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that this Ordinance must be immediately effective so that the work can begin on the construction of the

Public Infrastructure Improvements, wherefore, this Ordinance shall take effect and be in force from and immediately after its adoption.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**ATTESTS:**

\_\_\_\_\_  
Stacey Boumis, Clerk of Council

\_\_\_\_\_  
Angela M. Kirk, Mayor

\_\_\_\_\_  
Michael Flaherty, Council Pres. Pro-Tem

**APPROVED AS TO FORM**

\_\_\_\_\_  
Eugene Hollins, Esq., Law Director

**CERTIFICATION OF PUBLICATION**

Pursuant to the City Charter, I, Stacey E. Boumis, Clerk of Council of the City of Obetz, Ohio, do hereby certify that Ordinance \_\_\_\_\_ was duly posted at \_\_\_\_\_ (time) on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.

\_\_\_\_\_  
Stacey Boumis, Clerk

\_\_\_\_\_  
Date

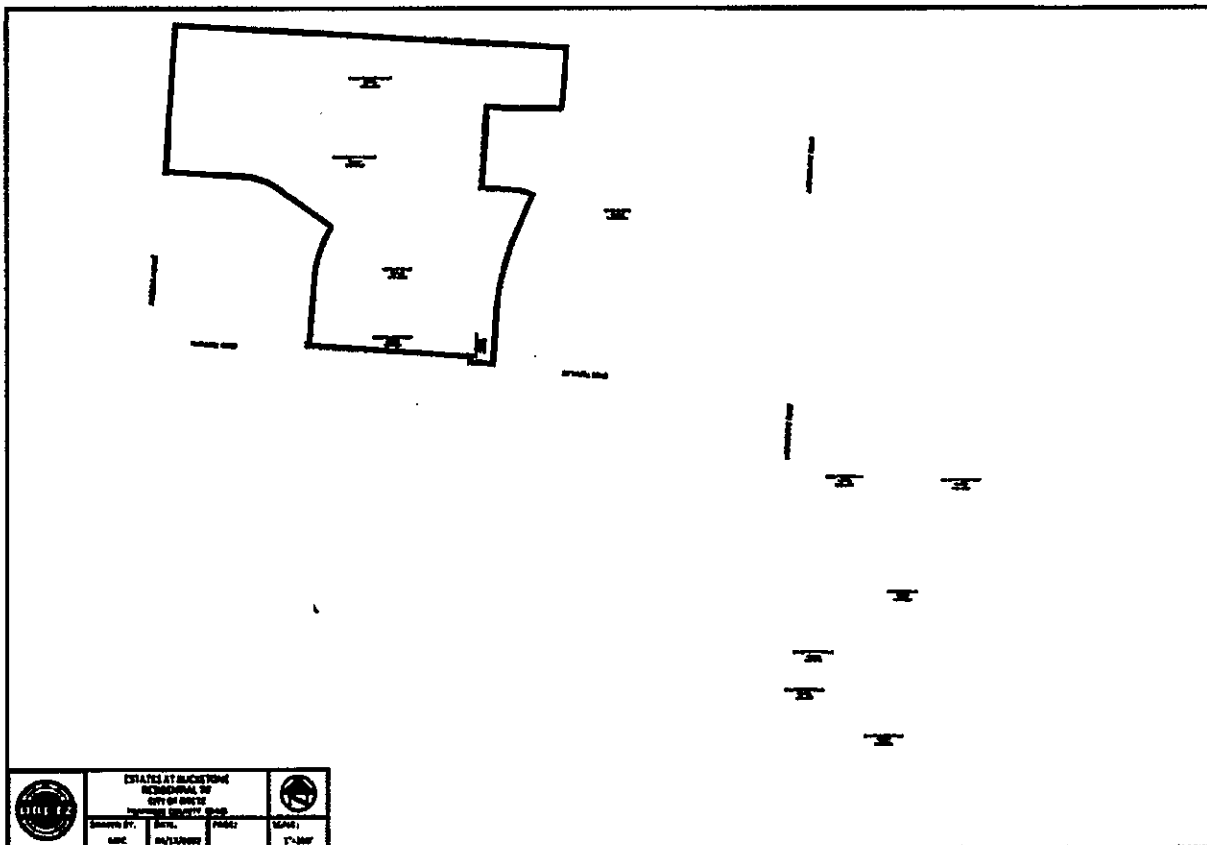


**EXHIBIT A-1**

Incentive District One consists of the following parcels identified from the records of the County Auditor of Franklin County, Ohio and the City of Obetz as of April 18, 2022:

152-001841  
152-001847  
152-001744  
152-001848  
152-001753

Incentive District One is also described by reference to the area shaded on following map:

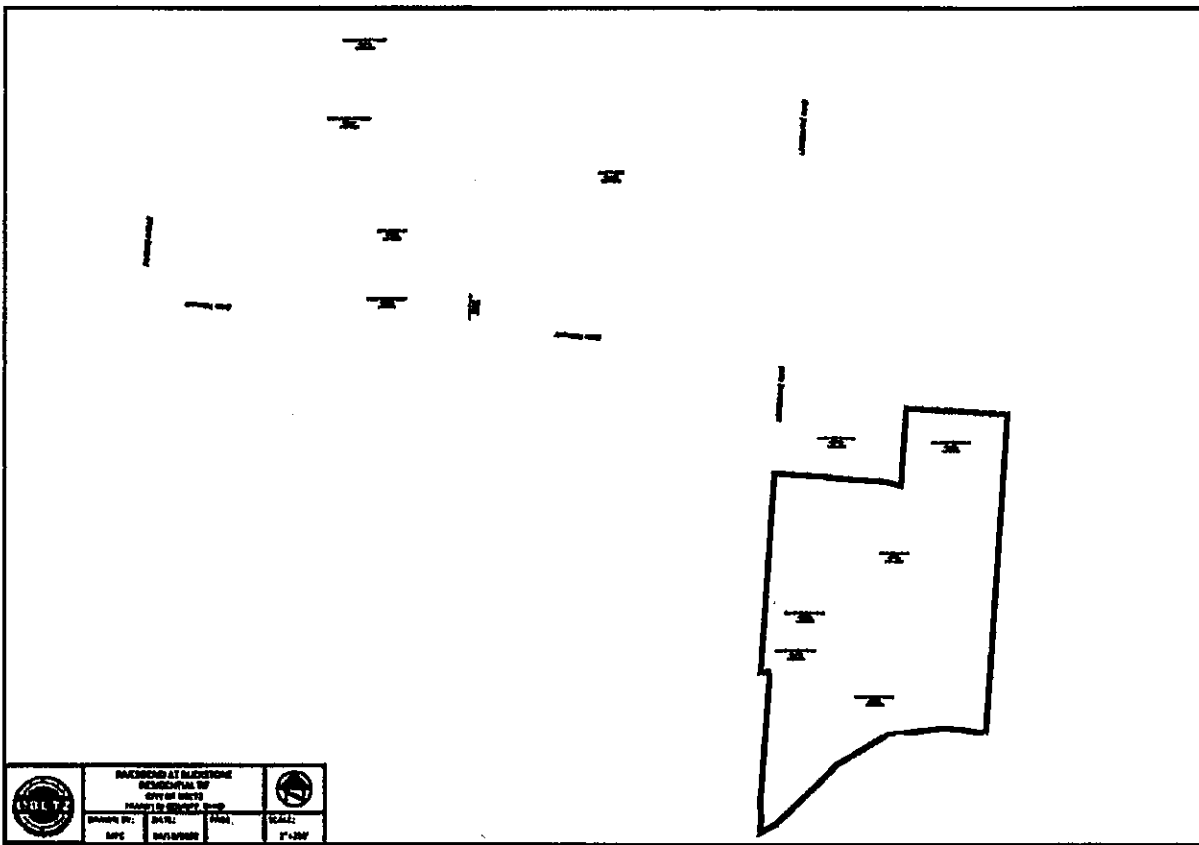


**EXHIBIT A-2**

Incentive District Two consists of the following parcels identified from the records of the County Auditor of Franklin County, Ohio and the City of Obetz as of April 18, 2022:

152-002170  
152-002161  
152-002169  
152-002162  
150-002713

Incentive District Two is also described by reference to the area outlined on following map:



## **EXHIBIT B**

### **PUBLIC INFRASTRUCTURE IMPROVEMENTS**

The Public Infrastructure Improvements consist of:

(i) the following specifically designated improvements:

- **Water Main Extension.** Extension of the water main from a master meter located on Rathmell Road within the Rathmell Road and Lockbourne Road right of ways and within the public roads with the Buckstone non-residential and residential developments.
- **Sewer Main Extension.** Extension of the sewer main from a location within the former Wilburn parcel in proximity to Walnut Creek northly to the development area, and within the Rathmell Road and Lockbourne Road right of ways and within the public roads with the Buckstone non-residential and residential developments.
- **Electric Main Extension.** Extension of electric facilities from an existing substation located on Rohr Road along several public roads to approximately the intersection of Rathmell Road and Lockbourne Road, and within the Rathmell Road and Lockbourne Road right of ways and within the public roads with the Buckstone non-residential and residential developments.
- **Natural Gas Main Extension.** Extension of natural gas facilities from their current terminus in the Creekside development along several public roads to approximately the intersection of Rathmell Road and Lockbourne Road, and within the Rathmell Road and Lockbourne Road right of ways and within the public roads with the Buckstone non-residential and residential developments.
- **Buckstone Lake.** Site work and improvements to construct a central lake for storm water management and recreational purposes in the town center portion of the Buckstone development.
- **Buckstone Park and Amenities.** Site work and improvements to create an amphitheater and associated open space and park improvements in the town center portion of the Buckstone development.
- **Rathmell Road Improvements.** Widening and improvement of Rathmell Road in close proximity to the Buckstone development to provide a four-lane boulevard and appurtenances.
- **Lockbourne Road Improvements.** Widening and improvement of Lockbourne Road in close proximity to the Buckstone development to provide a four-lane road and appurtenances.
- **Rathmell/Lockbourne Roundabout.** Construction and improvement of the intersection of Rathmell Road and Lockbourne Road as a multi-lane roundabout and related appurtenances.
- **Walking and Leisure Path System.** Provision of a multiuse leisure path system throughout the Buckstone development to encourage non-vehicular mobility.
- **Public Swimming Pool.** Construction and installation of a public swimming pool for the Obetz community in close proximity to the town center portion of the Buckstone development.

- **Golf Course.** Potential development of a 9-hole or 18-hole golf course on public land in close proximity to the Buckstone development.
- **Expanded Path System.** Expansion of the multiuse leisure path system in areas directly benefitting the Buckstone development area.
- **I-270/Lockbourne Road Interchange.** Construction and improvement of the Lockbourne Road overpass to a full interchange and exit serving the eastbound and westbound travelling public in close proximity to the Buckstone development.

(ii) any “public infrastructure improvement” defined under Section 5709.40(A)(7) of the Ohio Revised Code and that directly benefits or serves parcels in the TIF District and specifically include, but are not limited to, the “Public Infrastructure Improvements” described in the TIF Agreement (as may be amended from time to time) and any of the following improvements that will benefit or serve parcels in the Incentive District and all related costs of those permanent improvements (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code):

- **Parks.** Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, public art, together with all appurtenances thereto;
- **Roadways.** Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto;
- **Streetscape/Landscape.** Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described in “Roadways” above;
- **Water/Sewer.** Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto;
- **Stormwater.** Construction, reconstruction and installation of stormwater and flood remediation projects and facilities, including such projects and facilities on private property when determined to be necessary for public health, safety and welfare, including the following:
- **Real Estate.** Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or (b) in aid of industry, commerce, distribution or research; and

- **Professional Services.** Engineering, consulting, legal, administrative, and other professional services associated with the planning, design, acquisition, construction and installation of the foregoing improvements and real estate.



**EXHIBIT B**

**Map of the Incentive District**

**Incentive District One consists of the following parcels identified from the records of the County Auditor of Franklin County, Ohio and the City of Obetz as of April 18, 2022:**

152-001841

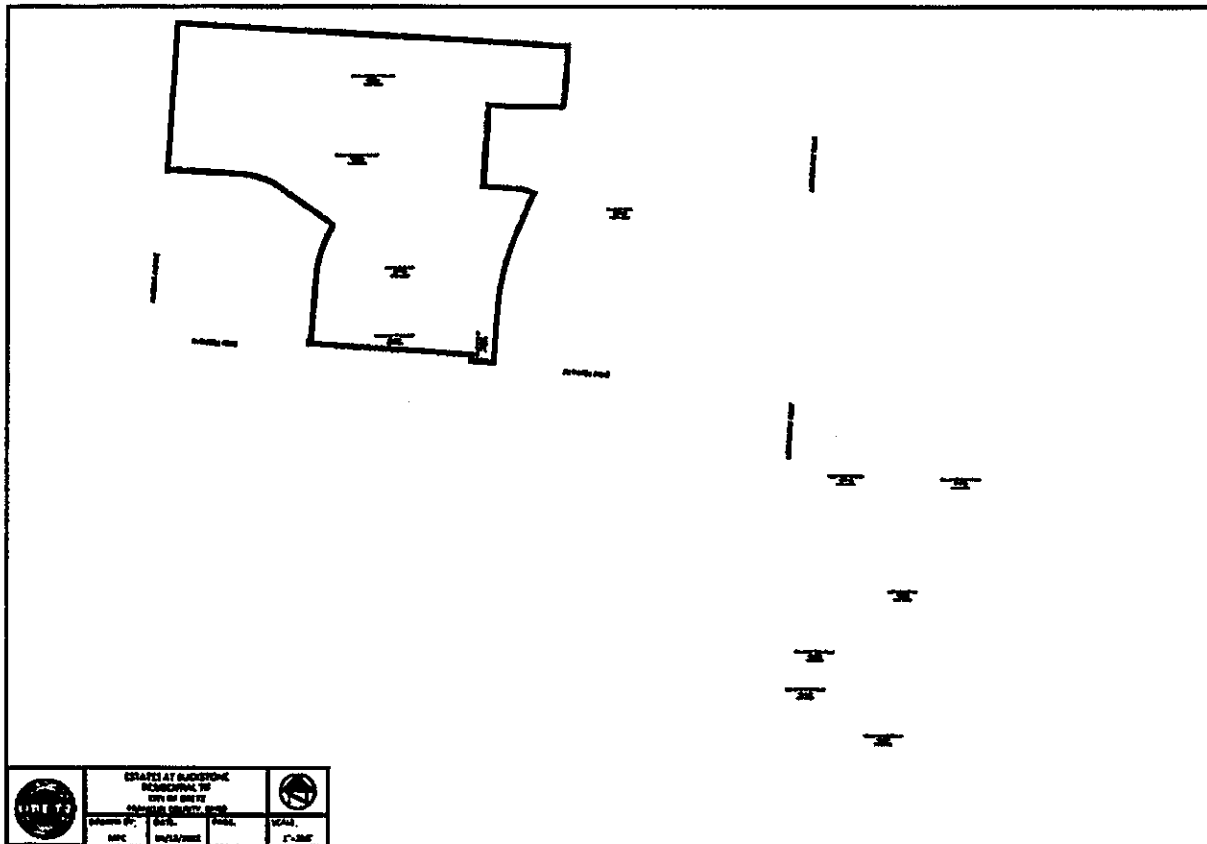
**152-001847**

152-001744

152-001848

**152-001753**

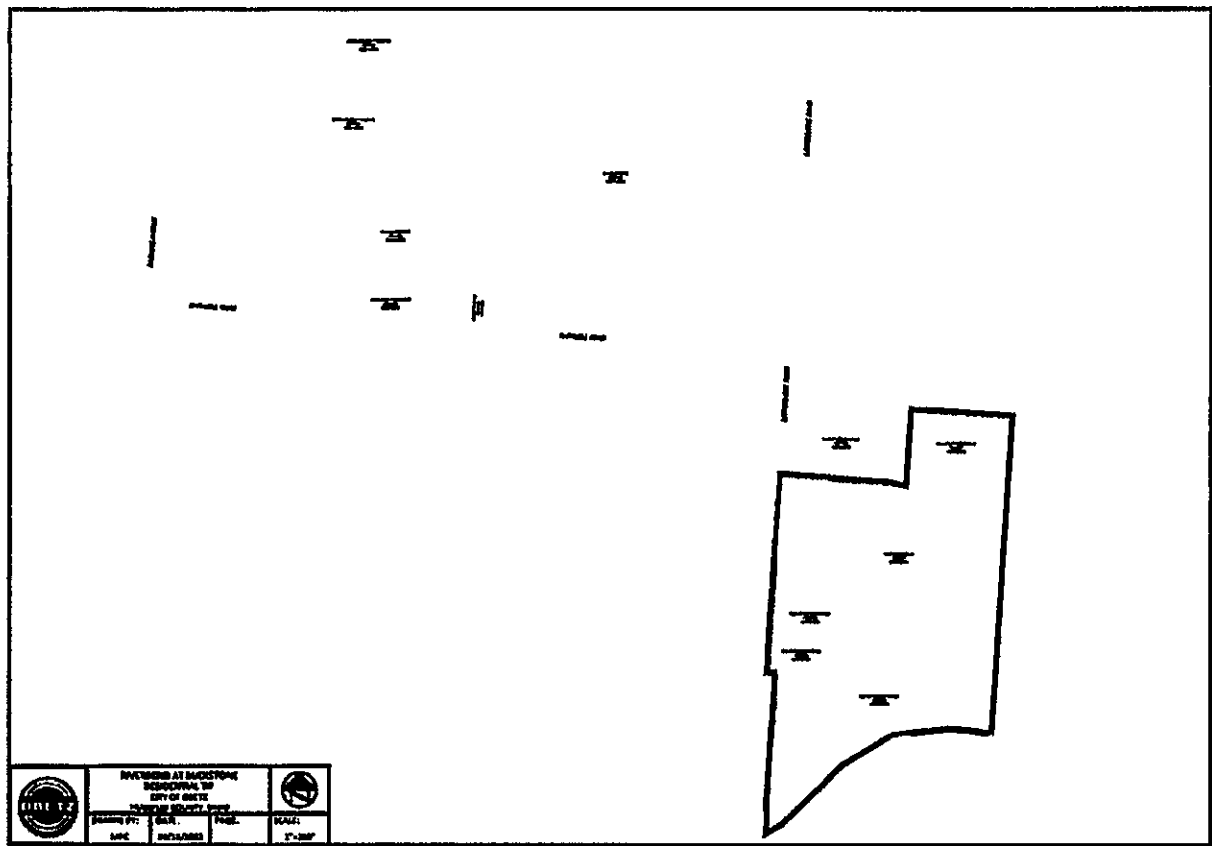
**Incentive District One is also described by reference to the area shaded on following map:**



Incentive District Two consists of the following parcels identified from the records of the County Auditor of Franklin County, Ohio and the City of Obetz as of April 18, 2022:

- 152-002170
- 152-002161
- 152-002169
- 152-002162
- 150-002713

Incentive District Two is also described by reference to the area outlined on following map:



## **EXHIBIT C**

### **Description of anticipated Improvements and estimated value of such Improvements for the Incentive District**

#### **Incentive District One:**

Approximately 424 new single-family residential units and any and all infrastructure and other improvements related thereto will be constructed within the Incentive District One. The approximate value of the homes to be constructed within the Incentive District One is \$188,130,000.

#### **Incentive District Two:**

Approximately 255 new single-family residential units and any and all infrastructure and other improvements related thereto will be constructed within the Incentive District Two. The approximate value of the homes to be constructed within the Incentive District Two is \$97,550,000.

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